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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 016778-0421

Applicant: Ulrich FABER

Title: WIRELESS COMMUNICATION DEVICE AND METHOD
OF PREDICTING A FRAME RATE IN A CDMA
COMMUNICATION SYSTEM

Application No.: 09/730,545

Filing Date: December 7, 2000

Examiner: Ng, Christine Y.

Art Unit: 2663

Allowed Date: November 30, 2004

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

Documents A1 – A3 were listed in an European Search Report for a counterpart PCT application. A copy of the Search Report is also being provided herewith. Document WO 97/24848 was previously cited in an IDS, which was submitted to the PTO on May 12, 2003.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in the amount as set forth in 37 C.F.R. §1.17(p) is attached.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date January 3, 2005

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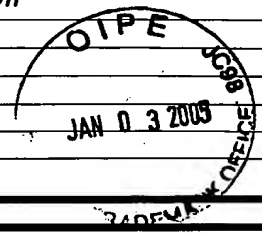
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: January 3, 2005 <i>(use as many sheets as necessary)</i>			Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/730,545</td> </tr> <tr> <td>Filing Date</td> <td>12/07/2000</td> </tr> <tr> <td>First Named Inventor</td> <td>Ulrich FABER</td> </tr> <tr> <td>Group Art Unit</td> <td>2663</td> </tr> <tr> <td>Examiner Name</td> <td>C.Y. Ng</td> </tr> <tr> <td>Attorney Docket Number</td> <td>016778-0421</td> </tr> </table>		Application Number	09/730,545	Filing Date	12/07/2000	First Named Inventor	Ulrich FABER	Group Art Unit	2663	Examiner Name	C.Y. Ng	Attorney Docket Number	016778-0421
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Sheet	1	of	2													


U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,627,845		ASANO et al.	05/06/1997	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2	PCT	WO 97/37471		10/07/1997			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A3	SHEUNG CHI NG et al., "Rate Determination Algorithms in IS-95 Forward Traffic Channels", 1998 IEEE, pages 2187-2191.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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